

TOWN OF WEBSTER
Office of Selectmen
945 Battle Street/Rte. 127
Webster, NH 03303

5:00 PM Selectmen's Meeting – July 9, 2012 – Pre-bid meeting for RFP regarding Carpet Project for Town Hall

Selectmen present: Chairman George Cummings and Selectman Fanjoy as well as Tracey Bailey from Bailey's Custom Carpets; Adam Fleury from ADF Flooring and Anton Wilson from Lakes Region Flooring.

The Board met at 5:00 pm for the pre-mandatory bid meeting of those interested in bidding on the carpet project at the Town Hall. Later in the meeting he advised that there will be several addendum items drawn up and e-mailed to those in attendance by this next Wednesday at 5:00 pm at the latest. The addendums were as follows: to drop the requirement that the vendor provide a check for 10% of the project as it was not considered a big enough project, adjust the number of square yards of carpet, and to include in the RFP the replacement of the rubber type baseboard with a good matching color throughout the rooms as it made more sense than trying to reuse the old, which would add to the cost, but the labor of trying to save the old would balance out the cost. Though Selectman Johnson was not at the meeting, he agreed with the changes and will do up the addendums, send it to the Board for their comments. When approved he will send it to Mrs. Jones to be e-mailed to those vendors in attendance. Bids received will be opened at the Selectmen's Meeting on July 23rd.

6:35 PM Selectmen Present: Chairman George Cummings, Selectman Bruce Johnson and Selectman Roy Fanjoy.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Johnson made a motion to accept the Selectmen's Minutes of June 25, 2012 as written; seconded by Selectman Fanjoy and approved. Chairman Cummings was not in attendance at June 25th meeting.
- Selectman Fanjoy made a motion to accept Session 1 of the non-public sealed Selectmen's Minutes of June 25, 2012 as written; seconded by Selectman Johnson and approved.
- Selectman Fanjoy made a motion to accept the Session 2 of the non-public sealed Selectmen's Minutes of the June 25, 2012 as written; seconded by Selectman Johnson and approved.
- PO #13 for the Town Hall to Wayne Morse for the labor & material to install a waterless urinal in the amount of \$916.
- PO #14 for the Fire Department to 2-Way Communications for the radio transfer to the new fire truck in the amount of \$608. Financial Administrator Wendy Pinkham advised that this company had bought out Lily Pond Communications when the owner passed away.
- PO #15 for the Fire Department to Becker Training Associates, LLC for ½ of the EMT Course for Michelle Bersaw in the amount of \$325.

The Board signed the following for Mrs. Pinkham:

- A Payable Check Warrant for a singles check cut on June 26th.
- The May bank reconciliation between the Financial Administrator and the Treasurer.

Mrs. Pinkham noted that budgets were provided at the last meeting and questions from Selectman Johnson had been answered. Chairman Cummings thanked her for providing this.

Mrs. Pinkham thanked everyone for their "get well" wishes during her recent medical leave. Selectman Johnson welcomed Mrs. Pinkham back to work.

Police Chief Robert Dupuis advised the Board of the following:

- There were 75 calls for service over the last two weeks. At least half were the dog warrants, which are now completed; 28 to 30 summonses were issued to appear in court if the dogs were not licensed by the deadline. He advised that the Town Clerk was very busy the next business day. Chairman Cummings inquired about the penalty for not registering a dog. Chief Dupuis advised that the Town Clerk first sends a card notice to register the dogs by a certain date and if this is not done the Police Department delivers a letter, along with a court summons with an administrative fine of \$25, plus the cost of licensing the dog. If still not in compliance the person goes to court and is fined \$50. If the person does not appear in court, a notice is sent with an administrative finding, along with another notice to pay the fine and if not paid and in compliance with licensing the dog, then their license can be suspended.
- A request from Officer Dan Shapiro for vacation from December 27th to December 30th.

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- He inquired about the possibility of direct deposit of the payroll checks. Mrs. Pinkham advised him that there is a notice on this week's checks and after the monthly Fire Department checks have been run with the same notice, she will take requests and if there is enough interest, she and Treasurer Mary Smith will proceed from there to set up the direct deposit. Mrs. Smith requested that Fire Chief Colin Colby encourage all the Fire Department Members to consider direct deposit as getting all those small checks cashed sometimes drags out.
- Last Friday there was an accident in Salisbury causing a power outage for a period of time. He advised that the generator at the Public Safety Building did not start. He tried several times to get it going, but it does need a battery. He has called Southworth Milton Cat to get it serviced and to get a cost estimate to maintain it routinely. He has money in the maintenance budget to have it serviced at this time. It was noted that the Fire Department serviced it in the past, but no longer does that. There was discussion on who should maintain it. It was noted that the Town Hall generator is serviced by Yestramski Electrical, which Mrs. Jones said she would give the information to Chief Dupuis. Selectman Johnson recommended that Chief Dupuis get an estimate from both companies, which Chief Dupuis will do. Wayne Noyes was another source that was mentioned that services generators and had actually looked at the generator last summer but never got back to Chief Dupuis regarding maintaining the unit. Chief Dupuis and Fire Chief Colin Colby will work together for the best solution.

Mrs. Pinkham asked Chief Dupuis to be sure that Rymes does not deliver anymore propane as the Town will be using Huckleberry in Boscawen. They have ordered the tanks to be replaced and will be contacting Rymes regarding the change. The Town will be reimbursed for the propane left in the Rymes tanks.

Selectman Fanjoy asked Chief Dupuis if the speed trailer unit had been damaged and he advised that it had not. He then inquired about the Town items that had been kept in evidence since 2006, asking if a letter should be sent from the office to the Attorney General's Office to get the items back. Chief Dupuis said that he had talked with the County Attorney's Office several times and told them that the Selectmen would write a letter, which they then said that they would forward it to the Sullivan County Attorney's Office. The case had been transferred over to them from Merrimack County as there was a conflict of interest. Chief Dupuis said that our County Attorney had e-mailed Sullivan's County Attorney several times, having cc'd Chief Dupuis as well, asking that a motion be done to return the items. Chief Dupuis advised that Mr. Mitchells' Attorney had no issue with returning the items, but because the items were seized with a search warrant, the items have to be returned with an order from the Court. The computer(s) also have to be cleaned, leaving nothing on them. Chairman Cummings asked if the County Attorney has to do the cleaning. Chief Dupuis said no, it could be done by the State Lab or by someone qualified. Selectman Fanjoy again inquired whether a letter was needed, with Chief Dupuis saying that he didn't know what good it would do, but that it couldn't hurt. Chairman Cummings volunteered to write a letter if Chief Dupuis would provide him with the particulars by e-mail. It was noted that this case has been ongoing since 2006.

Selectman Johnson thanked Chief Dupuis for checking on an open door reported by a neighbor in his neighborhood as they were very concerned about the resident and appreciated his response.

Fire Chief Colin Colby advised the Board of the following:

- There have been 77 calls to date, mostly medical, since the last meeting.
- A forestry truck was requested by and sent to the Campground for the July 4th fireworks just to stand by as a precaution.
- Chief Colby will get the W4 information from new members to Mrs. Pinkham.
- Mrs. Pinkham sent paperwork to Chief Colby with questions from LGC regarding insurance coverage for the replacement cost of the ambulance regarding equipment, etc. that she could not answer. Mrs. Pinkham advised that they have rewritten their policy to now offer replacement coverage for the ambulance, as they currently do for all the fire trucks. She advised that any forestry or brush fire truck did not qualify for this coverage.

As Road Agent Emmett Bean was not in attendance, Chairman Cummings noted that he was recuperating well and was working. Selectman Fanjoy said that Mr. Bean had also moved the rocks in place at the park to keep vehicles out of the grove area and causing damage.

Treasurer Mary Smith advised that there is now money in the bank since the tax payments are coming in.

Fred Reagan, from the Merrimack Valley School District, brought back the revised maps from the last meeting. Selectman Johnson reported that Brenda Silver had told him that the maps looked fine after reviewing them with Sue Roberts after the last Selectmen's Meeting. Mr. Reagan pointed out the areas to be plowed by the Town as stated in the pending Memorandum of Understanding. He advised that the clothing bin had been moved and seemed to be in a good location according to Ms. Roberts at the last meeting. There has been the addition of several parking spots, which increased slightly the area to be plowed, but did not think that it was an issue.

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Chairman Cummings will speak with Road Agent Bean to be sure everything is okay, otherwise Chairman Cummings will contact Mr. Reagan. Mr. Reagan said that the Memorandum of Understanding did state that should snow accumulation need to be moved, the job would be offered to Mr. Bean first. He then showed the areas mowed by the School. He does want to add the location of the Town's sewer lines to the maps before he makes copies for everyone, indicating that he would talk with Bob Lake regarding this as Mr. Lake put in the septic system. There was a pump failure last year and the pump was replaced after Rowell Septic pumped out the system. Mr. Reagan had a recorded survey plan of the school property and left a copy for the Office file. Carol Creighton expressed concern that one of boundaries was not correct, pointing out that her husband was on the School Board for 13 years, and that the boundary ran from the road to the baseball scoreboard, which was quite different from the line shown in the recorded plan. She asked how the lines could have been changed, indicating that when the District was formed, it was all put together then, again asking how the line could be changed. Mrs. Jones indicated that surveys are done by licensed surveyors after much research. Mrs. Creighton again questioned the changing of the line and who gave anyone the authority to do so. There were two plans shown, one recorded in 1986 as Plan #9339 and one from 1993 done by Bartlett Associates, but never recorded. They were both very similar. Mr. Reagan offered to talk with Bernie Davis, formerly of the District, to see if he had any additional information. He also offered to review the deeds, saying that he would report back to the Board. Mrs. Jones will look for any deeds or plans on file in the Office as well. Mrs. Creighton questioned who would be responsible if someone were injured on the playground, with Mr. Reagan indicating that it would be the school. Chairman Cummings asked Mr. Reagan as to how long the circular driveway had been in place, with Mr. Reagan saying that it has been there probably since 1988. After review by Primex of the Memorandum of Understanding and as previously recommended by Primex, Mr. Reagan said that the School's Attorney was reviewing the Memorandum of Understanding regarding any Indemnification information, but had not yet reported back. He asked the Board if they had any questions regarding the Memorandum, which they did not. Again, Chairman Cummings said that he will talk with Mr. Bean in the next few days and would get in touch with Mr. Reagan if needed. As an FYI, it was noted that the Elementary School benefits monetarily from items left in the clothing bin.

7:30 pm Chairman Cummings called for a short recess.

7:36 pm Chairman Cummings reconvened the meeting. The Board reviewed the draft of the Joint Loss Management Program prepared by the Joint Loss Management Committee. Newly appointed Member to the Committee and now Chairman David Collins encouraged the Board to accept the Program as he was concerned about the Town's liability as the last update of the Program was in 1996. Expressing some concerns, he indicated that adjustments can be done later and advised that he intends to update the Program regularly. Selectman Fanjoy made a motion to accept the amended draft of the Program as presented; seconded by Selectman Johnson and approved. Selectman Johnson has already sent some comments to Mr. Collins, which Mr. Collins will work on. The Board and Department Heads will be e-mailed the updated version. Chief Dupuis requested an electronic version.

The Board discussed the draft of the Life Safety Code Enforcement job description. No comments or proposed changes to the job description were received from Tom Baye as he had indicated at the last meeting that he would do soon. Mr. Baye has done some inspections for the Town in the interim of appointing someone to fill the position. Chairman Cummings spoke with Mr. Baye regarding inspections that were more detailed that had been done in the past, though Chairman Cummings suggested that it may be best if more items were included in the inspections. Discussion ensued. Chairman Cummings indicated that many items could be covered by saying inspections included, but were not limited to framing and electrical, saying that there could be more detail in the building permit that would seem more appropriate. Selectman Johnson volunteered to contact Tom Baye and request him to send some information, though no decision was made to invite him to another Board meeting at this time. Selectman Johnson said that he was contacted by someone from Webster also interested in the position. He then recommended that the "word" be distributed locally to advise that the Town is in need of an "Inspector" and to post it on the website. He also recommended asking Fire Chief Colby to discuss the position with Fire Department Members. Chief Colby said that it was mentioned at the last business meeting, but Selectman Johnson indicated that it was done in an informal way. Selectman Johnson will continue working on the draft and bring it back to the next meeting. Chairman Cummings indicated that the description was general enough, saying he had an issue with new dwelling construction, therefore recommending that it be formalized or expanded upon. Selectman Johnson thought that Mr. Baye had an issue with plumbing inspections. Chairman Cummings said that one issue that we do not require, though many towns do, that came up recently was the water capacity regarding gallons per minute. Some contractors had indicated to him that this was an issue. Selectman Johnson will write something to be put on the website regarding the search for someone to fill this position and probably put something in the local Grapevine. Tom Mullins expressed concern that if a local contractor were to fill the position, they would then be inspecting the competition's work. Mr. Mullins also reminded the Board that at a Town Meeting some years ago the Town voted by a wide margin not to adopt the State Building Codes. Chairman Cummings recalled speaking against the adoption, as did Mr. Mullins, saying that the Town was not ready for BOCA, though it may come someday. Selectman Fanjoy agreed with Mr. Mullins about the possibility of a conflict of interest by hiring a local contractor. Chairman Cummings indicated that he would pay attention to this, indicating that perhaps a retired contractor may be interested. MJ Turcotte questioned whether the inspections came after the septic was inspected. Chairman

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Cummings indicated that the inspections come at different times, though initially the approval for the septic was right up front when the building permit was filed, then the next inspection would be for footing setbacks, then foundation setbacks, framing, electrical and so on as the construction proceeds. There is supposed to be a final inspection of the septic system before it is covered up. Ms. Turcotte asked if the Town was enforcing the State law that when there was any change to a building's ridge line or footprint that a new septic plan would be required. She noted that a new plan would also be required if the septic in place was over 20 years old. Chairman Cummings noted that the Town does not require a permit for additions and often are not aware until the inventory is filed; therefore it is difficult to monitor the State's requirements. She indicated that the Town was supposed to advise the State when this happened.

Selectman Fanjoy will contact Town Counsel regarding the anticipated August 1st inspection in Davisville. He reminded the Board that the homeowner indicated that he only wanted one Town representative even though at the last inspection the homeowner did not object to more than one during the inspection, only after the fact. Chairman Cummings indicated that he could act as a backup for Selectman Fanjoy if need be.

Selectman Fanjoy volunteered to be the Emergency Management Director. He inquired whether the State would fund this requirement as it seems like a new un-funded mandate. Though there were many comments, there was no resolution. Selectman Johnson made a motion to appoint Roy Fanjoy as the Emergency Management Director; seconded by Chairman Cummings and approved. Selectman Fanjoy abstained from voting.

Town Clerk Michele St. Jacques noticed that the "Returned Check Policy" read 14 business days, but the Statute only allows 14 days and asked that the Board amend the Policy to correct this error. She also reworded the paragraph for clarity. Selectman Fanjoy made a motion to delete "business" to "calendar" days and reword the paragraph for clarity; seconded by Selectman Johnson and approved.

Huckleberry Heating advised that they would replace the 1,000 gallon tank at the Town Hall with an equivalent, whether a 1,000-gallon tank or two 500-gallon tanks. This was a concern before a decision was made as to who to use for our heating fuel needs. Chairman Cummings recalled the discussion at the last meeting regarding the recommendation to purchase the propane tanks which would then allow the Town to use any vendor. Because of the cost, any purchase would have to go before the legislative body. Selectman Fanjoy noted that any problems with the tank(s) would have to be repaired at the Town's expense. Chairman Cummings said that it would take a long time to break even and make it worthwhile. No decisions were made.

The Mock Plaque has now been replaced. Chairman Cummings still wanted to seal the top off from further water leakage. He asked Chief Dupuis to keep an eye out should any people be seen throwing rock at the plaque as there is evidence that it has happened in the past and he found it disturbing that folks would do that.

There was discussion on the appointment sheets kept by the Town Clerk for Fire Department Members. As there is no statutory requirement and Chief Colby had no objection, Selectman Fanjoy made a motion to stop this practice; seconded by Selectman Johnson and approved.

Chairman Cummings will complete the paperwork received from the State relative to Copart and will sign and return the document.

Mrs. Jones requested information from TDS regarding the cost of a new telephone system for the Town Hall so that this cost might be included in the 5-year plan for Town Hall Projects. As the quote appeared very costly, discussion followed on alternatives. It was decided to have Selectman Johnson check with Shared Services and Chairman Cummings offered to look into information regarding what the State is using to see if it would be feasible for the Town's needs. No other decisions were made.

Before the Board voted to go into two requested non-public sessions, Chairman Cummings asked if there were any questions or comments from the audience. There were none.

Chief Colby advised Selectman Fanjoy that he had volumes of the NFPA codes at the Fire Station and that the updates are paid for in his budget. Selectman Fanjoy asked him to keep them at the station for him.

8:24 pm Chairman Cummings made a motion to go into non-public session pursuant to RSA 91A:3 II (a) regarding personnel with Police Chief Dupuis; seconded by Selectman Johnson. Roll call: Chairman Cummings – yes; Selectman Johnson – yes and Selectman Fanjoy – yes.

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8:48 pm Chairman Cummings reconvened the meeting. He advised that the Board met with Chief Dupuis regarding personnel matters and that the Board voted unanimously to seal the minutes.

At this time the Board signed the revised Return Check Policy with the change in the verbiage under #4 to include the change from 14 days to 14 business days.

Selectman Johnson swore in Roy E. Fanjoy as Emergency Management Director as voted earlier in the meeting.

8:52 pm Chairman Cummings advised that a second non-public session was needed to discuss a matter which if discussed in public may affect the reputation of someone. Selectman Johnson made a motion to go into non-public session pursuant to RSA 91-A:3 II (c) to discuss matters that may adversely affect the reputation of any person; seconded by Selectman Fanjoy. Roll call: Chairman Cummings – yes; Selectman Johnson – yes and Selectman Fanjoy – yes. The Board requested Mrs. Jones join them in this session.

9:13 pm Chairman Cummings reconvened the meeting. He advised that the Board discussed matters which if discussed in public may adversely affect the reputation of any person and the Board voted unanimously to seal the minutes.

Immediately following Selectman Johnson made a motion to adjourn the meeting; seconded by Selectman Fanjoy and approved.

George C. Cummings, Chairman
BOS/jj

Bruce G. Johnson

Roy E. Fanjoy

BOS Initials:

G. C. Cummings

B. G. Johnson

R. E. Fanjoy